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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,327	07/15/2003	Tsai Tzu Liang	UCIP384	3270
23900	7590	09/01/2005	EXAMINER	
J C PATENTS, INC. 4 VENTURE, SUITE 250 IRVINE, CA 92618			HEWITT, JAMES M	
			ART UNIT	PAPER NUMBER
			3679	
DATE MAILED: 09/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/623,327	Applicant(s) LIANG, TSAI TZU	
	Examiner James M. Hewitt	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 3/21/05.
- 2a) ☒ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities:

In line 1 of the first paragraph of the specification, "a" should be inserted after "is".

On page 7 line 12, "53" should be replaced with "52".

On page 8 line 7, "innermost wall 520" is incorrect.

Appropriate correction is required.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the front wall (of the constrictor groove) and the innermost portion (of the elastic petals) are not provided with proper antecedent basis in the specification.

### ***Claim Objections***

Claims 1-3 are objected to because of the following informalities:

In claim 1 line 14, "the pointed tip" should be "each pointed tip".

In claim 1 line 15, "the clamp member" should be "each clamp member".

In claim 2 line 11, "the pointed tip" should be "each pointed tip".

In claim 2 line 12, "the clamp member" should be "each clamp member".

In claim 3 line 1, "the pointed tip" should be "each pointed tip".

In claim 3 line 1, "said" should be inserted before "innermost".

In claim 3 line 4, "more" should be "move".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "deep" in claims 1-3 is a relative term which renders the claim indefinite. The term "deep" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Olson (US 5,230,539).

With respect to claim 1 and with particular reference to Figure 4, Olson discloses a quick connector comprising: a body (71) having a center through hole, a constrictor groove formed in said center through hole and having a front wall, an intermediate straight annular wall and an upper-sloped annular wall, and an O-shaped ring (50) fitted in the constrictor groove; a tube constrictor (40) inserted in the constrictor groove of said body, and having a flange (41) formed in an outer end, a center hole for a tube (60) to extend therein, a plurality of upright elastic petals (48) spaced apart equidistantly and extending down from said flange, every two of said elastic petals separated by a gap (47), said elastic petals respectively having an innermost portion, said innermost portion having a pointed tip (43) formed at its end and a clamp member (46) formed integral on an inner surface to push against an outer surface of the tube inserted in said center hole of said tube constrictor, each said clamp member having an inner diameter D1 shorter than that of said center hole of said tube constrictor (see Figure 3) and an angle (relative to the longitudinal axis of the collet 40) smaller than 80 degrees to firmly constrict the tube, wherein when the tube constrictor is pushed deep into the constrictor groove, the pointed tip engages with the O-shaped ring so as to move the clamp member away from the outer surface of the tube (see col. 5 line 67 – col. 6 line 10).

With respect to claim 2 and with particular reference to Figure 4, Olson discloses a quick connector comprising: a body (71) having a center through hole, a constrictor groove formed in said center through hole and having a front wall, an intermediate

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annular wall and an upper-sloped annular wall, and an O-shaped ring (50) fitted in the constrictor groove; a tube constrictor (40) to be inserted in the constrictor groove, and having a flange (41) formed in an outer end, a center hole for a tube to extend therein, a plurality of upright elastic petals (48) spaced apart and extending down from said flange, every two of said elastic petals separated by a gap (47), said elastic petals respectively having an innermost portion, said innermost portion having a pointed tip (43) formed at its end and a clamp member (46) formed on an inner surface to push against an outer surface of the tube inserted in said center hole of said tube constrictor; wherein, when the tube constrictor is pushed deep into the constrictor groove, the pointed tip engages with the O-shaped ring so as to move the clamp member away from the outer surface of the tube (see col. 5 line 67 – col. 6 line 10).

With respect to claim 3, wherein the pointed tip of innermost portion has an inclined inner surface and, when the tube constrictor is pushed deep into the constrictor groove, the inclined inner surface of the pointed tip is forced against an outer sidewall of the O-shaped ring so as to move the clamp member away from the outer surface of the tube (see col. 5 line 67 – col. 6 line 10).

### ***Response to Arguments***

Applicant's arguments, see pages 5-6, filed 3/21/05, with respect to the rejection(s) of claim(s) 1 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Olson (US 5,230,539).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

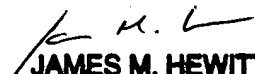
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**JAMES M. HEWITT**  
**PRIMARY EXAMINER**